



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702

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FOR IMMEDIATE RELEASE:

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EMERGENCY RULE EXTENDS PERMIT-RELATED DEADLINES CONTAINED IN FINAL RULE IMPLEMENTING THE FOR-HIRE (CHARTER VESSEL OR HEADBOAT) PERMIT MORATORIUM FOR THE REEF FISH FISHERY AND COASTAL MIGRATORY PELAGICS FISHERY IN FEDERAL WATERS OF THE GULF OF MEXICO

The National Marine Fisheries Service (NOAA Fisheries) has published in the Federal Register (67 FR, 77193, December 17, 2002) an emergency rule that will extend certain permit-related deadlines contained in the final rule implementing the for-hire (charter vessel/headboat) permit moratorium for reef fish and coastal migratory pelagic fish in the Gulf of Mexico (Gulf).

The final rule implementing the for-hire permit moratorium contained an error regarding eligibility that must be resolved as soon as possible. In addition, the regulations that implemented the moratorium require all for-hire vessels operating in the Gulf reef fish or coastal migratory pelagic fisheries in federal waters to have a valid "moratorium permit," as opposed to the prior open access charter permit, beginning December 26, 2002.

This emergency rule:

- 1) defers the date for having a "moratorium permit" aboard vessels operating in these fisheries until June 16, 2003;
- 2) automatically extends the expiration date of valid or renewable "open access" permits for these fisheries until June 16, 2003;
- 3) extends the deadline for issuance of "moratorium permits" to no later than June 6, 2003; and
- 4) extends the deadline for resolution of appeals to February 18, 2003, or 30 days after an oral hearing, if applicable.

In addition, NOAA Fisheries intends to issue limited access Gulf for-hire permits to those who qualify under the existing final rule as soon as possible.

These emergency actions are necessary to ensure that participants with valid permits in these fisheries are able to continue to participate until NOAA Fisheries can readdress the issue of initial eligibility requirements in the amendment and final rule implementing the permit moratorium. The issue of eligibility will be addressed as soon as possible through the normal rulemaking process that will include opportunities for the public to comment.

This emergency rule is effective from December 17, 2002, through June 16, 2003. Comments must be received no later than 5 p.m., eastern time, January 16, 2003. Written comments on this emergency interim rule must be sent to Phil Steele, NOAA Fisheries, Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Comments also may be sent via fax to 727-570-5583. Comments will not be accepted if submitted via e-mail or Internet.

To obtain considerable recorded information about our missions, services, and management measures, call our toll free public service line at 1-866-570-5301. If the information you need is not available on that line, you can leave us a message and we'll get back to you within one business day.

NOAA Fisheries is an agency of the Commerce Department's National Oceanic and Atmospheric Administration.